

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ROTATABLE TECHNOLOGIES LLC,**

**Plaintiff,**

**v.**

**APPLE, INC., *et al.*,**

**Defendants.**

**CIVIL ACTION NO. 2:12-CV-292**

**JURY TRIAL DEMANDED**

**STIPULATION OF DISMISSAL OF WHOLE FOODS MARKET, INC.**

Plaintiff Rotatable Technologies LLC (“Rotatable”) and Defendant Whole Foods Market, Inc. (“Whole Foods”) file this Stipulated Dismissal under Fed. R. Civ. P. 41(a)(1)(A)(ii).

Rotatable and Whole Foods stipulate that:

1. Rotatable consents to dismissal with prejudice of all its claims against Whole Foods in this suit.
2. Rotatable and Whole Foods shall each bear their own attorney fees and costs incurred in connection with this action.
3. This Court retains jurisdiction over the parties and the settlement agreement for purposes of resolving any disputes that may arise under it.

Dated: August 17, 2012

Respectfully submitted,

/s/ Stevenson Moore

Hao Ni  
Texas Bar No. 24047205  
hni@nilawfirm.com  
Timothy T. Wang  
Texas Bar No. 24067927  
twang@nilawfirm.com  
Stevenson Moore V  
Texas Bar No. 24076573  
smoore@nilawfirm.com

**Ni Law Firm, PLLC**  
8140 Walnut Hill, Ste. 310  
Dallas, TX 75231  
Telephone: 972.331.4600  
Fax: 972.314.0900

**ATTORNEYS FOR PLAINTIFF  
ROTATABLE TECHNOLOGIES,  
LLC**

/s/ Alan D. Albright

Alan D. Albright  
Attorney-in-Charge  
alan.albright@bglp.com  
Texas Bar No. 00973650  
Bracewell & Giuliani LLP  
111 Congress Ave., Suite 2300  
Austin, TX 78701  
Tel: 512-472-7800  
Fax: 800-404-3970

John H. Barr, Jr.  
john.barr@bglp.com  
Texas Bar No. 00783605  
John A. Yates  
jay.yates@bglp.com  
Texas Bar No. 24056569  
Bracewell & Giuliani LLP  
711 Louisiana, Suite 2300  
Houston, Texas 77002  
Tel: 713-223-2300  
Fax: 800-404-3970

John H. Hempfling II  
john.hempfling@wholefoods.com  
Texas Bar No. 24029609  
Whole Foods Market, Inc.  
550 Bowie Street  
Austin, TX 78703  
(512) 542-3768  
(512) 499-6768 (Fax)

**ATTORNEYS FOR DEFENDANT  
WHOLE FOODS MARKET, INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile, and/or first class mail on this 17th day of August, 2012.

\s\ Stevenson Moore  
Stevenson Moore